

SENATE CHAMBER,  
AUSTIN, TEXAS, Monday, May 8, 1871. }

Senate met pursuant to adjournment.

Senator Fountain presiding, *pro tem*.

Roll called; no quorum present.

Absent—Senators Bowers, Broughton, Cole, Douglass, Flanagan, Ford, Mills, Parsons, Pickett, Pridgen, Pyle, Saylor, Shannon, Tendick, Mr. President.

Absent—excused—Senator Evans.

The Sergeant-at-Arms was dispatched for the absentees.

Senators Bowers, Broughton, Cole, Douglass, Flanagan, Ford, Parsons, Pridgen, Pickett, Pyle, Saylor, Shannon, Tendick and Mr. President, appeared and answered to their names.

Quorum present.

President Campbell resumed the chair.

On motion of Senator Gaines, the reading of the journal of Friday, May 5, was dispensed with.

### PETITIONS AND MEMORIALS.

By Senator Ruby, petition of citizens of Galveston county asking for location of an agricultural college on Bolivar Peninsular in said county.

Read and referred to the Committee on Education.

### REPORTS FROM STANDING COMMITTEES.

Report of Committee on Education.

COMMITTEE ROOM,  
AUSTIN, May 3, 1871.

Hon. DON CAMPBELL,

President of the Senate:

SIR: Your Committee on Education, to whom was referred House bill No. 235, entitled "An act to prohibit the sale of intoxicating liquors within certain limits of Tennessee Colony High School, in Anderson county," have had the same under careful consideration, and a majority thereof instruct me to report it back to the Senate with the recommendation that it do pass.

E. PETTIT,  
Chairman.

Report read and laid over under the rules.

Report of Committee on Internal Improvements:

COMMITTEE ROOM,  
AUSTIN, April 27, 1871.

Hon. DON CAMPBELL,

President of the Senate :

SIR: Your Committee on Internal Improvements, to whom was referred an act entitled "An act to amend the fourth and fifth sections of an act entitled 'an act to incorporate the Galveston and Denver City Air Line Railway Company, and to promote the construction of the same,'" have had the same under careful consideration, and report it back with the recommendation that the same do not pass. Your committee have, however, prepared a substitute for the original bill, which is herewith presented and submitted for the action of the honorable Senate, striking out sections four and five and substituting the entire original bill excepting these sections. The committee recommend in lieu of sections four and five, in the original bill, to substitute by reference to the general laws in such cases heretofore made and provided.

W. H. PARSONS,  
Chairman.

Report and bill (Senate bill No. 411), "An act to incorporate the Galveston and Denver City Air Line Railway Company, and to promote the construction of the same." Read first time and laid over under the rules.

On motion of Senator Gaines, the Chaplain was excused for absence this morning.

### BILLS AND RESOLUTIONS.

By Senator Baker, a resolution as follows :

WHEREAS, House bill No. 234, entitled "An act to cede to and confer upon the city of Indianola all the right, title and interest of the State in and to the flats adjacent to said city, in the waters of Matagorda Bay, in trust, for the purposes and upon conditions therein specified," was referred to the Judiciary Committee of the Senate, on the sixteenth day of February last, and has not yet been reported upon; and

Whereas, The passage of said bill is of vital importance, not only to said city but likewise to the citizens of Western Texas generally, therefore

*Be it resolved by the Senate*, That said committee be required to report said bill back to the Senate, without delay, for its action thereon, and that it be made the order of the day for Wednesday, 11 o'clock.

On motion of Senator Pickett, the resolution was laid on the table.

Senator Ruby submitted the following report of Committee on Engrossed Bills:

COMMITTEE ROOM,  
AUSTIN, May 8, 1871.

Hon. DON CAMPBELL,

President of the Senate:

SIR: Your Committee on Engrossed Bills, having examined and compared Senate bills No. 408, "An act to authorize the Judge of the Eighteenth Judicial District to hold a special term of the District Court of Brazoria county;" No. 410, "An act to levy a special tax in the county of Van Zandt;" No. 406, "An act authorizing Jacob Carroll to construct a toll bridge across Peach creek, in Gonzales county;" No. 396, "An act confirming the powers granted to the municipal authorities of the incorporated cities and towns of the State;" No. 403, "An act to authorize the citizens of Wallace's Prairie, in Grimes county, to erect gates across the public roads in said prairie;" No. 405, "An act supplementary to the act entitled 'an act to adopt and establish a penal code for the State of Texas,' approved August 28, 1856;" No. 407, "An act to incorporate the Navasota and Washington County Ferry Company," and House amendments to Senate bill No. 9," find the same to be correctly engrossed.

G. T. RUBY,  
E. L. DOHONEY.

Report read and received.

Under direction of the President, the Secretary carried to the House for concurrence Senate bills Nos. 408, 410, 406, 396, 403, 405 and 407.

By leave, Senator Saylor submitted the following report of the Committee on Finance:

COMMITTEE ROOM,  
AUSTIN, May 5, 1871.

Hon. DON CAMPBELL,

President of the Senate:

SIR: Your Committee on Finance to whom was referred the petition of Martin Weed and B. F. Barrow, for relief, have had the same under consideration and I am instructed to report back the accompanying bill and recommend its passage.

Very respectfully,

W. A. SAYLOR,  
Chairman Committee.

Report and bill, (Senate bill No. 412) to be entitled "An act for the relief of Martin Weed and B. F. Barrow." Read first time.

Senator Saylor moved that the rules be suspended to consider report and bill. Lost.

## MESSAGES.

Message from the House by the Chief Clerk, Mr. Ketchum, informing the Senate that the House has adopted the report of the Committee of Conference on Senate bill No. 9, entitled "An act authorizing the county courts to sell the school lands situate in their respective counties."

In compliance with request of Senate, the Chair has appointed as Committee of Conference on House bill No. 357, entitled "An act making appropriations for the support of the State Government, etc.," Messrs. Sinclair, Morrison, Zoeller, Lane and Jo. Abbott, and that the House has passed, without amendments, Senate bill No. 268, "An act to incorporate the Texas Dental Association."

Also, transmitting for signature the following enrolled House bills:

House bill No. 618, "An act to incorporate the Seguin Manufacturing Company."

House bill No. 278, "An act authorizing administrators, executors, guardians and trustees to secure their bonds by a pledge of real estate."

House bill No. 600, "An act to incorporate the Drayman's Savings Club of Houston, Texas."

House bill No. 589, "An act supplementary to an act entitled 'an act to incorporate the Casino Society of Yorktown.'"

House bill No. 145, "An act to prohibit the sale or otherwise disposing of spirituous or vinous liquors within three miles of Baylor University, of Washington county."

House bill No. 412, "An act to incorporate the Cedar Male and Female Institute."

Signed by the President in open session.

Under direction of the President, the Secretary returned to the House the following House bills, with the action of the Senate thereon:

House joint resolution No. 22, "Joint resolution authorizing the Governor to dispose of the Houston Tap and Brazoria Railroad." Passed with amendments.

House bill No. 499, "An act to incorporate the Galveston Hotel Company." Passed May 5.

Also, returning House bill No. 357, "An act making appropriations for the support of the State Government, for deficiencies for the fiscal year ending August 31, 1871, and for the fiscal year beginning September 1, 1871, and ending August 31, 1872." The Senate recede from a portion of the amendments to which the House disagrees, and refuse to recede from others.

Also, the following enrolled Senate bills for signature of the Speaker :

Substitute for Senate bill No. 24, "An act amendatory of 'an act to organize the courts of justices of the peace and county courts and to define their jurisdiction and duties,' approved August 13, 1870."

Senate bill No. 54, "An act to repeal the third section and to amend the second section of 'an act to regulate the sale of lands under the decree of courts,' approved August 13, 1870."

Senate bill No. 77, "An act for the relief of A. H. Cook."

Senate bill No. 81, "An act to prohibit the sale or distribution of spirituous or other intoxicating liquors, or the establishment of any drinking saloon, gambling house, house of ill fame, etc., within certain limits."

Senate bill No. 138, "An act to incorporate the Bank of Sabine Pass."

Senate bill No. 209, "An act to authorize the County Court of Milam county to levy and collect a special tax for the purpose of erecting a new court-house in said county."

Senate bill No. 238, "An act to amend an act entitled 'an act fixing the terms of the Supreme Court of the State of Texas, and authorizing and requiring the court to establish rules,' approved August 13, 1870."

Senate bill No. 248, "An act for the relief of James Henderson."

Senate bill No. 285, "An act to validate certain acts of the County Court of Van Zandt county."

Senate bill No. 299, "An act to incorporate the Navasota and Washington County Ferry Company."

Enrolled bills signed by the Speaker, returned to the Senate and signed by the President in open session.

The following House bills were taken from the file and respectively referred as follows :

House bill No. 152. "An act to incorporate the Howard Institute of Waco, Texas." Read first time and referred to Committee on State Affairs."

House bill No. 220, "An act to further provide for a jury fund in the several counties of this State." Read first time and referred to Committee on Judiciary.

House bill No. 222, "An act to amend an act entitled 'an act to adopt and establish a Penal Code for the State of Texas,' approved August 26, A. D. 1856." Read first time and referred to Committee on Judiciary.

House bill No. 232, "An act to incorporate the North Western Land and Immigration Company." Read first time and referred to Committee on Immigration.

House bill No. 285, "An act prescribing the manner of relieving sureties on official bonds." Read first time and referred to Committee on Judiciary.

House bill No. 287, "An act to regulate the letting of contracts for the improvement of the public grounds at the capital." Read first time and referred to Committee on Public Buildings.

House bill No. 299, "An act to repeal an act entitled 'an act regulating contracts for labor,' approved November 1, 1866." Read first time and referred to Committee on Judiciary.

House bill No. 300, "An act repealing an act entitled 'an act establishing a general apprentice law, and defining the obligations of master, or mistress, and apprentice,' approved October 27, 1866." Read first time and referred to Committee on Judiciary.

House bill No. 320, "An act to enforce section twenty-one, article one, of the Constitution." Read first time and referred to Committee on Judiciary.

House bill No. 337, "An act to regulate proceedings in the district courts of the State of Texas." Read first time and referred to Committee on Judiciary.

House bill No. 359, "An act to legalize the official acts of I. H. Steen, while acting as justice of the peace of Hamilton county." Read first time and referred to Committee on Judiciary.

House bill No. 360, "An act to legalize the official acts of I. H. Steen, while acting as district clerk of Hamilton county." Read first time and referred to Committee on Judiciary.

House bill No. 363, "An act for the relief of the heirs of John Staker, deceased." Read first time and referred to Committee on Private Land Claims.

House bill No. 376, "An act to repeal 'an act to amend articles 757 and 766 of an act to adopt and establish a penal code for the State of Texas,' approved November 12, 1866." Read first time and referred to Committee on Judiciary.

House bill No. 377, "An act to amend article 756 and to repeal article 757 of 'an act to adopt and establish a penal code for the State of Texas,' approved August 26, 1856." Read first time and referred to Committee on Judiciary.

House bill No. 384, "An act to protect prisoners while under arrest." Read first time and referred to Committee on State Affairs.

House bill No. 386, "An act to amend section first of 'an act to establish the method of trying the right of property levied on under writs of execution, sequestration and attachment where the same is claimed by a person not a party to such writs,' approved March 18, 1848." Read first time and referred to Committee on Judiciary.

House bill No. 396, "An act to incorporate the Austin Trust Company." Read first time and referred to Committee on State Affairs.

House bill No. 417, "An act to legalize the official acts of certain officers of this State." Read first time and referred to Committee on Judiciary.

House bill No. 419, "An act requiring foreigners who have resided in the State of Texas three years, to at once declare their intention to become citizens of the United States, or on failure so to do to be deprived from benefits of 'an act defining the homestead and other property exempt from forced sale in the State, approved August 15, 1870.'" Read first time and referred to Committee on Judiciary.

House bill No. 365, "An act for the relief of Aaron Burns, assignee of John O'Donnel." Read first time and referred to Committee on Private Land Claims.

House bill No. 453, "An act to authorize the amendment of affidavits and bonds in certain cases." Read first time and referred to Committee on Judiciary.

House bill No. 454, "An act to amend an act entitled 'an act to amend the first section of an act to regulate proceedings in the district courts, approved May 13, 1846,' approved December 10, 1863." Read first time and referred to Committee on Judiciary.

House bill No. 456, "An act to amend article 392, chapter two, title twelve, of 'an act to adopt and establish a penal code for the State of Texas,' approved August 26, 1856." Read first time and referred to Committee on Judiciary.

House bill No. 458, "An act to regulate the sale of lands for taxes." Read first time and referred to Committee on Judiciary.

House bill No. 364, "An act for the relief of John Hawkins Brown." Read first time and referred to Committee on Private Land Claims.

House bill No. 491, "An act for the relief of Drury Field, assignee of James Y. Mason." Read first time and referred to Committee on Private Land Claims.

House bill No. 647, "An act to amend an act prescribing the mode of proceeding in district courts in matters of probate," approved August 15, 1870. Read first time and referred to Committee on Judiciary.

#### GENERAL FILE.

Senate joint resolution No. 12, "Joint resolution proposing an amendment to section six, of article ten, of the Constitution of the State of Texas."

Senator Pickett moved that the Senate concur in the House amendments.

Yeas and nays called for and motion lost by the following vote:

Yeas—Douglass, Hertzberg, Pickett, Pridgen, Ruby, Saylor.—6.

Nays—Mr. President, Baker, Bell, Bowers, Cole, Dohoney, Flanagan, Ford, Fountain, Gaines, Hall, Hillebrand, Mills, Parsons, Pettit, Rawson, Shannon, Tendick—18.

Senator Pridgen moved that the House be at once informed of the action of the Senate in refusing to concur in the House amendments, and that a Committee of Conference be appointed to confer with a like committee on the part of the House on Senate joint resolution No. 12. Carried.

The President appointed as such committee, Senators Pridgen, Bowers and Parsons.

The Secretary informed the House that the Senate refused to concur in House amendments to Senate joint resolution No. 12.

Senate bill No. 71, "An act to incorporate the Marion County Agricultural, Mechanical and Blood Stock Association."

On motion of Senator Flanagan, the following House amendment was concurred in: "and continue in force for the period of thirty years."

Senate bill No. 208, "An act to incorporate the San Antonio Bridge Company."

On motion of Senator Pridgen, Senate bill No. 208 was laid on the table.

Senatebill No. 199, "An act to organize the county of Presideo."

On motion of Senator Flanagan, the House amendments were concurred in.

Senate bill No. 47, "An act to incorporate Lamar Female Seminary."

On motion of Senator Dohoney, House amendments were concurred in.

Substitute to Senate bill No. 89, "An act incorporating the West Texas Road Steamer Transportation Company."

On motion of Senator Pridgen, House amendments were concurred in.

Senate bill No. 49, "An act transferring the settlement of the estate of James H. Leaverton, deceased, from the District Court of Anderson county to the District Court of Marion county."

On motion of Senator Pettit, the House amendments were concurred in.

Senate bill No. 75, "An act to incorporate the Austin Gas Company."

On motion of Senator Baker, House amendments were concurred in.

Senate joint resolution No. 26, "Joint resolution for the relief of Dillard Cooper."

On motion of Senator Tendick, House amendments were concurred in.

Senate bill No. 312, "An act to authorize the Galveston, Harrisburg and San Antonio Railway Company to unite or consolidate its railroads with connecting roads."

On motion of Senator Ruby, House amendments were concurred in.

Senate bill No. 58, "An act to incorporate Alta Viesta Female Seminary, in Austin county, Texas."

On motion of Senator Gaines, House amendments were concurred in.

### BILLS ON THIRD READING.

Senate bill No. 221, "An act to enforce compliance by public carriers with the provisions of section twenty-one, article one, of the Constitution." Read third time.

Senator Ruby moved that the bill do now pass.

Yeas and nays called for and Senate bill No. 221 passed by the following vote:

Yeas—Mr. President, Baker, Bell, Flanagan, Ford, Fountain, Gaines, Hall, Hillebrand, Mills, Parsons, Pettit, Pridgen, Rawson, Ruby, Saylor, Tendick—17.

Nays—Bowers, Broughton, Cole, Dohoney, Douglass, Latimer, Pickett, Shannon—8.

### GENERAL FILE.

Senate bill No. 337, "An act to incorporate the Galveston Medical College Hospital."

Senator Pickett offered the following amendment, which was adopted: Add to section ten, "the same to be paid by the county sending such patient."

Bill ordered engrossed and passed to a third reading as amended.

11 O'CLOCK A. M.

The hour having arrived for consideration of special order, Senate bill No. 281, "An act to provide for the erection of two new States within the jurisdiction of the State of Texas," on motion of Senator Pickett, special order was postponed until matter under consideration be disposed of.

On motion of Senator Mills, the rules were suspended, and Senate bill No. 387 read third time and passed.

Senator Ruby arose to a question of privilege and requested that the journal of Friday, May 5, afternoon session, be corrected so as

to show that the motion to appoint a Conference Committee on House bill No. 357, "An act making appropriations for the support of the State government," etc., was made by Senator Mills instead of Senator Ruby.

Journal ordered corrected as requested.

Postponed special order Senate bill No. 281 read second time.

Senator Mills moved a call of the Senate. Call sustained.

Absent—Senators Pridgen and Pyle.

Absent—excused—Senator Evans.

On motion of Senator Pettit, the call was suspended.

Senator Fountain offered a substitute, "Substitute Senate bill No. 281, to be entitled 'an act to provide for the erection of a new state within the jurisdiction of the State of Texas.'

[Senator Fountain in the Chair.]

Senator Mills moved that the bill and substitute be indefinitely postponed.

Yeas and nays called for and motion lost by the following vote :

Yeas—Bell, Bowers, Cole, Gaines, Mills, Rawson, Ruby, Saylor, Shannon—9.

Nays—Baker, Broughton, Dohoney, Douglass, Flanagan, Ford, Fountain, Hall, Hertzberg, Hillebrand, Latimer, Parsons, Pettit, Pickett, Pridgen, Tendick—16.

Senator Dohoney moved that the bill and substitute be made the special order for Friday next, at 11 A. M.

Yeas and nays called for, and motion lost by the following vote :

Yeas—Bell, Bowers, Cole, Dohoney, Ford, Fountain, Hall, Latimer, Shannon—9.

Nays—Baker, Broughton, Douglass, Flanagan, Gaines, Hertzberg, Hillebrand, Mills, Parsons, Pettit, Pickett, Pridgen, Rawson, Ruby, Saylor, Tendick—16.

Senator Ruby moved to lay the bill and substitute on the table.

Yeas and nays called for and motion lost by the following vote :

Yeas—Bell, Bowers, Cole, Mills, Rawson, Ruby, Saylor, Shannon—8.

Nays—Mr. President, Baker, Broughton, Dohoney, Douglass, Flanagan, Ford, Fountain, Gaines, Hall, Hertzberg, Hillebrand, Latimer, Parsons, Pettit, Pickett, Pridgen, Tendick—18.

Senator Douglass moved that Senate bill No. 281 and substitute be made the special order for Wednesday next at 11 o'clock A. M., and one hundred copies of substitute be ordered printed.

Yeas and nays called for, and motion carried by the following vote :

Yeas—Mr. President, Bell, Bowers, Broughton, Cole, Dohoney, Douglass, Flanagan, Ford, Fountain, Hall, Hertzberg, Hillebrand, Latimer, Parsons, Pettit, Pickett, Pridgen, Tendick—19.

Nays—Baker, Gaines, Mills, Rawson, Ruby, Saylor, Shannon—7.

### GENERAL FILE—Resumed.

Senate bill No. 365, "An act supplemental to and amendatory of an act entitled 'an act regulating public printing,' approved August 13, 1870." Read second time.

Senator Pickett offered the following amendment and moved its adoption: Amend section one by striking out paragraph third of said section on page three.

Yeas and nays called for, and amendment lost by the following vote:

Yeas—Bowers, Cole, Dohoney, Flanagan, Latimer, Pickett, Shannon—7.

Nays—Mr. President, Baker, Bell, Douglass, Ford, Fountain, Gaines, Hall, Hertzberg, Hillebrand, Mills, Parsons, Pettit, Rawson, Ruby, Saylor, Tendick—17.

Senator Ruby moved that Senate bill No. 365 be engrossed.

Yeas and nays called for, and motion carried by the following vote:

Yeas—Mr. President, Baker, Bell, Ford, Fountain, Gaines, Hall, Hertzberg, Hillebrand, Mills, Parsons, Pettit, Rawson, Ruby, Saylor, Tendick—16.

Nays—Bowers, Cole, Dohoney, Douglass, Flanagan, Latimer, Tinkett, Shannon—8.

Senate bill No. 76, "An act to incorporate the Austin Gas Light Company."

Senator Bowers asked permission to withdraw the bill.

Objection being made, permission to withdraw the bill was refused.

Senator Baker moved the bill be indefinitely postponed.

Yeas and nays called for, and motion carried by the following vote:

Yeas—Mr. President, Baker, Bell, Bowers, Cole, Dohoney, Douglass, Flanagan, Gaines, Hertzberg, Hillebrand, Latimer, Rawson, Shannon—14.

Nays—Ford, Fountain, Hall, Mills, Parsons, Pettit, Ruby, Saylor, Tendick—9.

By leave, Senator Pickett introduced a bill (Senate bill No. 413) to be entitled "An act to incorporate the Texas Immigration Aid Society." Read first time and referred to the Committee on Immigration.

### GENERAL FILE—Resumed.

House bill No. 611, "An act to authorize the Governor to receive

from the Treasury of the United States the money due the State of Texas from the United States." Read second time.

Senator Bowers moved to strike out the word "Governor," wherever it occurs in the bill, and insert in lieu thereof the word "Comptroller." Yeas and nays called for and motion lost by the following vote:

Yeas—Bowers, Cole, Dohoney, Douglass, Flanagan, Latimer, Pickett, Shannon—8.

Nays—Baker, Bell, Ford, Fountain, Gaines, Hall, Hertzberg, Hillebrand, Mills, Pettit, Rawson, Ruby, Saylor, Tendick—14.

Bill passed to a third reading, and, on motion of Senator Saylor, the rules suspended, bill read third time and passed.

Senator Ruby moved to reconsider the vote just taken upon the passage of the bill. Carried.

Question being called on the final passage of the bill, House bill No. 611 passed by the following vote:

Yeas—Baker, Bell, Bowers, Cole, Dohoney, Ford, Fountain, Gaines, Hall, Hertzberg, Hillebrand, Latimer, Mills, Parsons, Pettit, Pickett, Rawson, Ruby, Saylor, Tendick—20.

Nays—Broughton, Douglass, Shannon—3.

Senate bill No. 296, "An act to incorporate the Law Department of the Texas University."

Senator Gaines offered the following amendment: Section nine, line four, strike out the words "school fund and." Adopted.

Senator Ford offered the following amendment: Section one, line ten, strike out the words "with perpetual succession" and insert "with succession for fifty years." Adopted.

Senator Pettit moved to strike out section nine. Lost.

Senator Bell moved to amend by striking out section thirteen.

Senator Gaines moved to amend section thirteen by striking out "\$15,000" and inserting "\$10,000."

Yeas and nays called for and motion carried by the following vote:

Yeas—Mr. President, Douglass, Ford, Fountain, Gaines, Hall, Hillebrand, Latimer, Mills, Parsons, Pettit, Rawson, Shannon—13.

Nays—Bell, Bowers, Broughton, Cole, Dohoney, Flanagan, Pickett, Ruby, Saylor, Tendick—10.

The question recurring upon the motion to strike out section thirteen, yeas and nays called for and motion lost by the following vote:

Yeas—Bell, Douglass, Ford, Latimer, Pettit, Rawson, Shannon—7.

Nays—Mr. President, Bowers, Broughton, Cole, Dohoney, Flana-

gan, Fountain, Gaines, Hall, Hertzberg, Hillebrand, Mills, Parsons, Pickett, Ruby, Tendick--16.

The question being upon the engrossment of the bill, yeas and nays called for and bill ordered engrossed by the following vote :

Yeas—Mr. President, Baker, Bowers, Broughton, Cole, Dohoney, Flanagan, Fountain, Gaines, Hall, Hertzberg, Hillebrand, Mills, Parsons, Pickett, Ruby, Tendick--17.

Nays—Bell, Ford, Latimer, Pettit, Rawson, Shannon--6.

Senator Pickett moved to suspend the rules to place the bill on a third reading.

Yeas and nays called for, and motion to suspend the rules lost by the following vote, four-fifths not voting in the affirmative :

Yeas—Mr. President, Baker, Bowers, Broughton, Cole, Dohoney, Flanagan, Ford, Fountain, Gaines, Hall, Hertzberg, Hillebrand, Mills, Parsons, Pickett, Ruby, Tendick--18.

Nays—Bell, Latimer, Pettit, Rawson, Shannon--5.

Senator Flanagan moved to adjourn to 10 o'clock A. M. to-morrow.

Yeas and nays called for, and motion lost by the following vote :

Yeas—Mr. President, Baker, Broughton, Cole, Douglass, Flanagan, Ford, Gaines, Latimer, Parsons, Saylor, Shannon--12.

Nays—Bell, Bowers, Dohoney, Fountain, Hall, Hertzberg, Hillebrand, Mills, Pettit, Pickett, Rawson, Ruby, Tendick--13.

Senator Dohoney moved to adjourn to 4 P. M.

Yeas and nays called for and motion lost by the following vote :

Yeas—Bell, Bowers, Dohoney, Hall, Hertzberg, Hillebrand, Mills, Pettit, Pickett, Tendick--10.

Nays—Mr. President, Baker, Broughton, Cole, Douglass, Flanagan, Ford, Fountain, Gaines, Latimer, Parsons, Rawson, Ruby, Saylor, Shannon--15.

Senator Douglass moved to adjourn to 9 A. M. to-morrow.

Yeas and nays called for and motion carried by the following vote :

Yeas—Mr. President, Baker, Bell, Broughton, Cole, Dohoney, Douglass, Flanagan, Ford, Fountain, Gaines, Hall, Hertzberg, Mills, Parsons, Rawson, Saylor, Shannon, Tendick--19.

Nays—Bowers, Hillebrand, Latimer, Pettit, Pickett, Ruby--6.

So the Senate, at 1 P. M., adjourned to 9 A. M. to-morrow.

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